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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/573,981	03/30/2006	Nobuyoshi Okumura	1163-0560PUS1	4165

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EXAMINER

HANNON, CHRISTIAN A

ART UNIT	PAPER NUMBER
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2618

NOTIFICATION DATE	DELIVERY MODE
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11/23/2009

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

mailroom@bskb.com

Office Action Summary	Application No. 10/573,981	Applicant(s) OKUMURA ET AL.	
	Examiner CHRISTIAN A. HANNON	Art Unit 2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 June 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3-8 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>4/9/2009</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 3-4, 7 & 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermola (US 2005/0289589) in view of Ravi et al (US 6,112,063), hereinafter Ravi.

Regarding claims 1, 7 & 8, Vermola teaches a (audio/video) receiving apparatus and method for receiving a broadcasting wave which includes a digital video signal, a digital audio signal, and service information, said service information indicating at least a channel number, a transmission broadcasting station name, and a broadcast target area said receiving apparatus comprises (Figure 2, Item 209; Page 1, [0022], Page 2 [0024]; Vermola) a registration unit for extracting said service information added to the broadcasting wave, and for registering said service information, as preset information, into one preset group based upon the broadcast target area for these transmission broadcasting stations (Page 2, [0029]; Page 4 [0056]; Vermola) and a channel selecting unit for selecting said broadcasting wave according to the preset information registered into said preset group (Page 4, [0056]); Vermola also teaches a controller for extracting the service information (Figure 5, Items 5051,5052; Vermola) a video control unit which obtains the extracted service information and creates one or more tables where each one of said one or more tables includes all channels associated with a specific area

Art Unit: 2618

(Figure 2, Page 2, [0033]; Vermola) and a GUI unit that displays one of said one or more tables based on the current position of the receiver as determined from the received service information (Page 1, [0016], Page 2, [0029]; Vermola). Vermola does not explicitly teach a reception determining unit for determining whether said broadcasting wave can be received in a predetermined region by receiving a reception signal from each channel while changing said channel number and making said determination for the reception signal received from each channel, however Vermola does teach that each broadcast wave is 'determined' to either be receivable to the receiver or not (Page 2, [0026-0027], Page 3 [0038-0039], Page 5, [0064]; Vermola). Therefore it is obvious to one of ordinary skill in the art that this process requires analyzing received channels between changing channels as Vermola discloses that multiple channels are tested, therefore the only way to test the multiple possible channels would be to change those channels. However Vermola still fails to explicitly disclose wherein the service information includes a selection button number where the broadcasting stations having the same selection button number are associated into a corresponding preset group. Ravi teaches use of a "selection button number" or PTY code, where a processor, or registration unit, based upon a given area places the same PTY code within the same "preset group" (aka all PTY code '1' or news stations are grouped with the same button; see column 3, lines 12-17; Ravi). Therefore it would be obvious to one of ordinary skill in the art at the time the invention was made to utilize the button grouping technology set forth in Ravi, in Vermola's, as the scope of Vermola is to organize RDS type data in addition to others on a mobile broadcast unit (see Vermola at

Art Unit: 2618

page 2, [0024]), and the combination would further the goals of Vermola by maintaining the lists of channels Vermola is concerned with (see page 1, [0020] of Vermola).

Furthermore the Examiner asserts official notice that the claimed components of claim 8 (demux and decoders) are widely known in the art and are implicitly taught by the Vermola and Ravi art.

Regarding claim 3, Vermola and Ravi teach the receiving apparatus according to claim 1, wherein said apparatus comprises a display control unit for displaying a preset group list showing a list of preset groups, as well as broadcast target areas, and for, when a preset group is selected from this preset group list, displaying a preset group screen in which a plurality of broadcasting stations included in preset information associated with the selected preset group are associated with a plurality of selection button numbers, respectively (Page 2, [0029]-[0034]; Figure 5, Item 5002; Vermola).

Regarding claim 4, Vermola and Ravi teach the receiving apparatus according to claim 3, wherein when a selection button number is input, the channel selection unit selects a channel number according to the input selection button number and a preset group number indicating the preset group and displayed on the preset group screen so as to select a broadcasting wave (Page 4, [0060-0061]; Vermola).

3. Claims 5 & 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vermola in view of Ravi, and further in view of Morisada et al (US 2002/0013946), hereinafter Morisada.

Art Unit: 2618

Regarding claim 5, Vermola and Ravi teach the receiving apparatus according to claim 1, wherein the registration unit registers, as preset information, service information added to the broadcasting wave which said receiving apparatus is currently receiving into the preset group to which a broadcasting wave having the same broadcast target area as the broadcasting. However Vermola fails to disclose wherein said apparatus has a searching unit for searching for a preset group to which a broadcasting wave having a same broadcast target area as a broadcasting wave which said receiving apparatus is currently receiving belongs wave which said receiving apparatus is currently receiving belongs. Morisada teaches a broadcast receiving apparatus with a preset searching function (Page 1, [0012]; Morisada). Therefore it would be obvious to one of ordinary skill in the art to combine the teachings of Vermola with those of Morisada in order to create ease of use for an end user upon entering a geographic region with new un-set channels.

Regarding claim 6, Vermola and Ravi teach the receiving apparatus according to claim 1, however Vermola fails to explicitly teach wherein said apparatus has a searching unit for searching for a preset group to which a broadcasting wave having a same transmission broadcasting station name as a broadcasting wave which said receiving apparatus is currently receiving belongs, and, when said searching means determines that there exists a preset group to which a broadcasting wave having a same transmission broadcasting station name as the broadcasting wave which said receiving apparatus is currently receiving belongs, the channel selection unit selects a broadcasting wave according to said preset group. Morisada teaches a broadcast

Art Unit: 2618

receiving apparatus with a preset search function capable of placing received broadcasts into preset groups accordingly (Page 1, [0012]; Morisada). Therefore it would be obvious to one of ordinary skill in the art to combine the teachings of Vermola with those of Morisada in order to create ease of use for an end user upon entering a geographic region with new un-set channels.

Claim Objections

4. Claim 1 is objected to because of the following informalities: in the fifteenth line of the claim appears a '.' after the phrase "into said preset group". However the '.' does not mark the end of the claim. Appropriate correction is required.

Information Disclosure Statement

5. The information disclosure statement filed 4/9/2009 fails to comply with the provisions of 37 CFR 1.97, 1.98 and MPEP § 609 because no English translation has been provided nor a concise explanation of relevance has been provided for the listed foreign reference (see 37 CFR 1.98 (a)(3)). It has been placed in the application file, but the information referred to therein has not been considered as to the merits.

Applicant is advised that the date of any re-submission of any item of information contained in this information disclosure statement or the submission of any missing element(s) will be the date of submission for purposes of determining compliance with the requirements based on the time of filing the statement, including all certification requirements for statements under 37 CFR 1.97(e). See MPEP § 609.05(a).

Response to Arguments

6. Applicant's arguments with respect to claims 1, 3-8 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHRISTIAN A. HANNON whose telephone number is (571)272-7385. The examiner can normally be reached on Mon. - Fri. 8:00 AM - 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ed Urban can be reached on (571) 272-7899. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Application/Control Number: 10/573,981
Art Unit: 2618

Page 8

/C. A. H./
Examiner, Art Unit 2618
August 21, 2009

/Edward Urban/

Supervisory Patent Examiner, Art Unit 2618